

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOHN HAYDEN,

Plaintiff,

-against-

CITY OF NEW YORK, *et al.*,

Defendants.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**
16-CV-115 (RRM) (ST)

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ROSLYNN R. MAUSKOPF, United States District Judge.

In a *sua sponte* report and recommendation dated June 14, 2021 (the “R&R”), Magistrate Judge Steven L. Tiscione recommended that this action be dismissed with prejudice for plaintiff’s failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. (Doc. No. 53.) The R&R directed defendants’ counsel to serve a copy of the R&R on the *pro se* plaintiff by mail and warned plaintiff that his failure to file written objections to the R&R within fourteen days of service would preclude further review of the R&R by this Court or the Court of Appeals. (*Id.*) Although defendants’ counsel served the R&R on plaintiff on June 16, 2021, (Doc. No. 54), neither party has yet filed objections.

Pursuant to 28 U.S.C. § 636(b) and Rule 72 of the Federal Rules of Civil Procedure, the Court has reviewed the R&R for clear error and, finding none, adopts the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007). Accordingly, it is

ORDERED that the R&R is adopted in its entirety and this action is dismissed with prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. The Clerk of Court is respectfully directed to enter judgment in favor of defendants, to mail a copy of this Order and the judgment to plaintiff, to note that mailing on the docket sheet, and to close this case.

SO ORDERED.

Dated: Brooklyn, New York
July 14, 2022

Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
United States District Judge